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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

COMPLAINT

- against -

(18 U.S.C. § 875)

BERNHARD LAUFER,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

Michael Weniger, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about and between June 10 and June 11, 2014, within the Eastern District of New York and elsewhere, the defendant BERNHARD LAUFER did knowingly and intentionally transmit in interstate and foreign commerce a communication containing a threat to injure the person of another, specifically, a threat to injure and kill the Executive Director and Founder of the Council on American-Islamic Relations ("CAIR").

(Title 18, United States Code, Section 875)

The source of your deponent's information and the grounds for his/her belief are as follows:¹

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and am currently assigned to the Civil Rights squad located in the New York Field Division. I have been employed as a Special Agent since January 2011. My duties presently include investigating allegations of federal civil rights violations, hate crimes, forced labor, human trafficking, sex trafficking and other crimes. In that capacity, I have participated in arrests, conducted physical surveillance, reviewed documents, records and subpoena returns, and debriefed individuals involved in illegal activity, among other investigative techniques. As a result of my training and experience, I am familiar with the techniques and methods of operation used by individuals involved in criminal activity to conduct their crimes and to conceal their activities from detection by law enforcement authorities.

2. This affidavit is submitted in support of an application for an arrest warrant for defendant BERNHARD LAUFER, a resident of the State of New York, currently residing in Rego Park, New York.

3. The information contained in this affidavit is based on my personal knowledge and observations accumulated during the course of this investigation, on information I obtained during interviews, on information conveyed to me by other law enforcement personnel, and on my review of documents. I submit the affidavit for the limited purpose of establishing probable cause in support of this application for a complaint and arrest warrant, and thus, it does not

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

contain every fact known by me or the United States. Additionally, unless otherwise noted, wherever in this affidavit I assert that an individual made a statement, that statement is described in substance, and in part, and is not intended to be a verbatim recitation of the entire statement.

4. On or about October 2, 2013, the Council on American-Islamic Relations ("CAIR"), which is located at 453 New Jersey Avenue, S.E., Washington, D.C., received a message from "Bernhard" at blaufermcpcpa@att.net. The content of the submission was as follows:

First Name: Bernhard

Last Name: Laufer

Email Address: blaufermcpcpa@att.net

Phone Number: 718-459-5572

Comments: Nice try in trying to set me up for Attempted Second-Degree Murder as a Hate Crime.

You don't know with whom you are messing with.

CAIR WILL NOW BE DESTROYED!

Hebronia.

Add me to your mailing list: no

5. The defendant BERNHARD LAUFER has been identified as a 56 year old male residing in Rego Park, New York. Based on a publicly-available reverse phone look-up database, phone number 718-459-5572 is a Verizon landline that is assigned to the same address that has been associated with LAUFER.² The subscriber name is consistent with LAUFER's father's name; his father is believed to be deceased. LAUFER is currently on pre-trial release in a case being prosecuted by the Queens District Attorney's Office in New York. Based on

² The exact address is not included herein so as to protect the privacy of any individuals with whom LAUFER may live. Specifically, he is believed to reside with one of his parents.

information provided by the Queens County District Attorney's Office, in that case, LAUFER has been charged with the attempted murder of a 57 year old male ("Attempted Murder Victim") on or about November 18, 2012. Specifically, LAUFER is alleged to have approached the Attempted Murder Victim at 5:00 a.m. and stabbed him in the back and about other parts of his body with a knife as the Attempted Murder Victim attempted to unlock the front door of the Masjid Al-Saalliheen Mosque, located in Kew Garden Hills, New York. As the stabbing occurred, LAUFER allegedly yelled: "I will kill you Muslim."

6. On or about June 10, 2014, the defendant BERNHARD LAUFER electronically transmitted an email, using email address blaufermepcpa@att.net, in interstate commerce, from the State of New York to an individual who serves as the National Communications Director for CAIR (the "Communications Director") in Washington, D.C. The subject of the email contained the name of the Executive Director and Founder of CAIR (referred to herein as "Victim #1"). The body of the email contained the following threat directed at Victim #1, who was identified by name:

[Victim #1] I am coming after you.

You Jihadi Bastard.

Put your body guards on high alert.

Bernhard Laufer

7. Following the email threat described above, on the same day, CAIR employees reported receiving several telephone calls at the CAIR office where the caller did not speak, but simply held the phone for a period of time, and during some of the calls the CAIR employees reported hearing what they thought were the sound of gunshots before the caller eventually hung up. Given the contemporaneous threats from LAUFER the same day as the calls

(and the fact that there were no other threatening email communications received that day), there are reasonable grounds to conclude LAUFER is responsible for the calls. The FBI is awaiting records that have been requested from a telephone service provider to conclusively determine the origin of the calls.

8. Shortly thereafter, on or about June 11, 2014, the defendant BERNHARD LAUFER electronically transmitted an email, using email address blaufermcpcpa@att.net, in interstate commerce, from the State of New York to the Communications Director of CAIR, in Washington, D.C., which contained the following threat:

[First Name of Victim #1],

I am going to take your eyes out and your balls out before I kill you so you can feel a little pain that you put me, my mother, my relatives, and my friends through for the last nineteen months for nothing.

Bernhard Laufer

P.S. I hope your sleeping better now when you [sic] that mad man is after you, and will stop at nothing to kill you, your body guards, and anybody else that is around you.

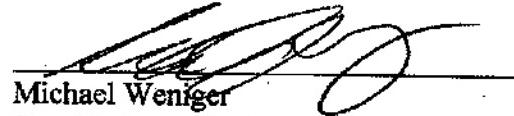
Based on the October 2013 email message discussed above that makes explicit reference to LAUFER's pending attempted murder case in Queens, which involved an assault approximately nineteen months prior to June 11, 2014, there is probable cause to conclude that in this email, the defendant BERNARD LAUFER's reference to "nineteen months" in this email is another reference to his pending state court case, which LAUFER appears to blame on CAIR.

9. In response to a grand jury subpoena, Yahoo! provided business records indicating that the subscriber for email address blaufermcpcpa@att.net is "Mr Bernard Laufer," with an associated zip code of 11374; the Yahoo! record does not contain further address information. In addition, IP address information received from Yahoo! indicates that email

address blaufermcpcpa@att.net was assigned IP address 67.100.110.83 on June 10 and June 11, 2014. Notably, the message header information for the threatening communication received by CAIR on June 11 included information in the coding indicating that the message was sent from "office pc (blaufermcpcpa@67.100.110.83)". In addition, I have reviewed publicly-available court records that indicate that LAUFER attended a court appearance in the Queens Supreme Court, Criminal Term, on June 10, 2014, and was thus in New York State on that date.

10. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of this application. I believe that sealing this document is necessary to avoid flight or a potential violent confrontation at the time of the execution of the arrest warrant for BERNHARD LAUFER. Additionally, premature disclosure of the contents of this affidavit and related documents may have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness as it could give LAUFER an opportunity to attempt to destroy evidence and/or tamper with witnesses should he become aware of the pending federal investigation.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued so that the defendant BERNHARD LAUFER, be dealt with according to law.



Michael Weniger
Special Agent, Federal Bureau of Investigation

Sworn to before me this
14th day of June, 2014

THE HONORABLE VIKTOR V. PODORELSKY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK